



**MINUTES**  
**REGULAR MEETING OF THE EDINA**  
**PLANNING COMMISSION**  
**WEDNESDAY, JUNE 28, 2006, 7:00 PM**  
**EDINA CITY HALL COUNCIL CHAMBERS**  
**4801 WEST 50<sup>TH</sup> STREET**

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**MEMBERS PRESENT:**

**Chair John Lonsbury, Nancy Scherer, Kevin Staunton, Michael Schroeder, Basima Tewfik, Scott Thiss, Floyd Grabel, Stephen Brown and Geof Workinger**

**MEMBERS ABSENT:**

**Michael Fischer**

**STAFF PRESENT:**

**Dan Cornejo, Jackie Hoogenakker and Steve Lillehaug**

**I. APPROVAL OF THE MINUTES:**

The minutes of the May 31, 2006, meeting were filed as submitted.

**II. INTERGOVERNMENTAL BUSINESS:**

Mr. Lillehaug, Assistant Engineer addressed the Commission and told them an ongoing study is being done on the West 70<sup>th</sup> Street corridor. Mr. Lillehaug explained at this time the City is interviewing consultants and it is believed a consultant will be selected sometime in July. After the consultant is chosen a task force will be formed.

Commissioner Workinger asked Mr. Lillehaug how many members would sit on this task force and how many would be Planning Commissioners. Mr. Lillehaug responded he believes the task force will be comprised of 20 or less members with at least three members of the force Planning Commissioners.

Commissioner Brown questioned if the study will include West 70<sup>th</sup> Street interfacing with France and York Avenues. Mr. Lillehaug responded he anticipates a collective study, adding the goal is not to limit ourselves.

Commissioner Grabel told Mr. Lillehaug he would be willing to serve on this task force, and asked Mr. Lillehaug what he envisions the task force focusing on.

Mr. Lillehaug said the 70<sup>th</sup> Street corridor is complex and a large aspect of the study will focus on land use along this corridor. A goal would be to look at

land use and how it relates to traffic/transportation through year 2036. Mr. Lillehaug said any changes in land use spill over to traffic, adding in this area there are capacity issues and limits, and the area is in need of improvements.

Commissioner Grabiell agreed improvements need to be implemented to make West 70<sup>th</sup> Street operate more efficiently.

Commissioner Brown pointed out to the best of his knowledge the City has been studying this area and its traffic problems for years. Mr. Lillehaug agreed West 70<sup>th</sup> Street has been an issue for some time and with the current and future land use changes along York and France Avenues further study is needed.

Chair Lonsbury noted in the Greater Southdale Land Use and Transportation Study 70<sup>th</sup> Street was identified as deserving further study and if he understands correctly this task force in a sense would be “starting from scratch”. Mr. Lillehaug agreed. He said West 70<sup>th</sup> Street has been “touched on”, but a more focused study needs to be conducted.

Commissioner Grabiell suggested that looking at alternative routes into the area would be of benefit. He said in his opinion Valley View Road and West 77<sup>th</sup> Street could be used more. Commissioner Brown agreed, he said the focus of the study should be West 70<sup>th</sup> Street; however, using other roads as alternative ways into the greater Southdale area should also be reviewed further.

Commissioner Workinger told the Commission he is the Planning liaison for the Transportation Commission and said as he understands the genesis of the 70<sup>th</sup> Street study everything would be on the table.

Commissioner Brown told Mr. Lillehaug he welcomes the study and wants to ensure that the “whole picture” is looked at. Commissioner Brown said he would be happy to serve on the task force. Chair Lonsbury thanked Commissioner Brown for volunteering.

Chair Lonsbury suggested that the school district also be considered when fielding people to serve on the task force. He pointed out an elementary school is right on West 70<sup>th</sup> Street. Mr. Lillehaug thanked Chair Lonsbury for that suggestion. Chair Lonsbury asked Mr. Lillehaug how he proposes to get citizen participation. Mr. Lillehaug said a number of Edina residents have already expressed interest in serving on the task force.

Commissioner Schroeder noted a number of Planning Commissioner live in the Greater Southdale Area who would be willing to serve on the Task Force. Commissioner Schroeder added he also would be willing to serve. Chair Lonsbury thanked Commissioner Schroeder.

Chair Lonsbury said along with Commissioner Workinger, Commissioners Schroeder, Grabiell, and Brown are willing to serve on the task force. Chair Lonsbury asked Mr. Lillehaug to keep the Commission posted on the consultant process and when the task force will begin meeting.

Mr. Lillehaug thanked Chair Lonsbury and the Commission for their time and interest in serving on the West 70<sup>th</sup> Street Task Force.

### **III. OLD BUSINESS:**

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**Z-06-1                      Final Rezoning  
Conditional Use Permit  
Final Development Plan and  
Amendment to the Comprehensive Plan  
Edina Gateway, LLC  
4930 77<sup>th</sup> Street West**

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Mr. Cornejo informed the Commission the City Council at their May 2, 2006, meeting granted First Reading to Ordinance No. 850-A-29, (Preliminary Rezoning approval). At this time the proponents are submitting for Final Rezoning, Conditional Use Permit, Final Development Plan and Amendment to the Comprehensive Plan approval.

Mr. Cornejo presented his staff report.

Mr. Cornejo concluded staff recommends approval of:

- Final Rezoning from Planned Office District (POD-1) to Planned Commercial District (PCD-2)
- Final Development Plan, dated June 7, 2006, subject to revisions to parking provision.
- Amendment to the Comprehensive Plan, changing the designation of 4930 77<sup>th</sup> Street West from Office to Commercial; and
- Conditional Use Permit for residential dwelling units above the principal use, subject to the following conditions:
  1. Setback variances from Highway 100 and West 77<sup>th</sup> Street, with final site plan adjustments regarding parking space sizes subject to approval by Planning and Engineering Departments
  2. Proof of Parking variance
  3. No drive-through facility.
  4. Watershed District permits.

5. Affordable housing participation.
6. Intersection and signal operational analysis to be conducted by the Applicant and submitted to the Transportation Commission for review.

And subject to the erection of a 10 foot high fence and additional landscaping along the northerly property line to include a pass-through gate for the neighbors.

Mr. James Nelson was present representing the owners of Pentagon Office Park. Mr. Paul May, Craig Powell and Ben Halberg were also present representing Pentagon property owners.

Commissioner Workinger asked for clarification on the proposed fence. Mr. Cornejo pointed out the plans indicate an 8 foot fence; however after the applicant met with adjoining residential neighbors the installation of a 10 foot fence appeared to be the best solution.

Commissioner Grabiell asked how the affordable housing unit component is handled. Mr. Cornejo responded it would become part of the development contract.

Commissioner Staunton asked if the Conditional Use Permit runs with the land. Mr. Cornejo responded in the affirmative. Continuing, Commissioner Staunton asked if a study or discussion ever occurred on the properties to the east and south of the subject site. Mr. Cornejo responded that is a good question, adding at this time he doesn't believe any formal discussions or studies have taken place regarding this area. Continuing, Mr. Cornejo said Commissioner Staunton's question directly leads into the Comprehensive Plan and if this area should be studied further with regard to change in land use.

Commissioner Staunton inquired if the required variances for the project also need to go before the Zoning Board. Mr. Cornejo responded approval of the variances are tied to the total project and would not go before the Zoning Board at a separate hearing.

Mr. James Nelson, 7790 Lochmere Terrace, addressed the Commission and explained Pentagon Office Park was one of the first "office parks" to be located in the Twin Cities area. Mr. Nelson said at the time of construction the location and buildings were considered "Class A" but after 45 years the location remains "Class A", but the office buildings are a "Class C". Continuing, Mr. Nelson said the goal of this proposal is to redevelop and renovate this 2.1 acre site. Mr. Nelson said in reality this site is the "gateway" entrance into this part of Edina. Mr. Nelson added in this area there are missing land uses, and in reality on this site one could actually "live where they work". Mr. Nelson explained the proposed housing will be for-sale and will be located above one floor of retail space, adding at this time he believes the price points for the units will be

between 240-500+ thousand dollars. Mr. Nelson stated this project is very proud of its partnership with the East Edina Housing Foundation and through their 2<sup>nd</sup> mortgage program affordable units will be available for qualified buyers. Concluding, Mr. Nelson said they also have no problem installing a 10 foot fence along the northerly property boundary.

Mr. May addressed the Commission and with graphics pointed out features of the proposed redevelopment of the site. Notable aspects of the proposal are the change in the Proof of Parking location; this change would ensure that vehicle headlights would not impact the residential neighbors. The building was also moved closer to the golf course and farther from the residential properties, and the balconies have been recessed. Mr. May pointed out the roof garden and its environmental qualities, adding the garden roof includes a path that defines where one would walk. Concluding, Mr. May said building materials are curtain wall, cast stone, glass, stucco, brick, metal cornices and recessed balconies.

Commissioner Workinger said in reviewing the plans he became concerned about spacing in front of the retail components especially if one of the retail components is a restaurant that wants outdoor seating. Mr. May acknowledged the probability of an eating establishment or coffee shop, adding when weather permits the tenant may desire outdoor seating. Mr. May said presently what is planned for this "sidewalk" area are raised planters. Mr. May said the goal of this outdoor sidewalk area is to also create a pleasant space. Commissioner Workinger asked Mr. May if they are committed to the planters, adding if vehicles park too close to the curb their bumpers will spill over onto the sidewalk area and with the planters and outdoor seating on the sidewalk area the area may become too tight to navigate safely. Mr. May acknowledged that is a good point and would seriously consider those comments. Commissioner Workinger said in this narrow area he would prefer that the planters remain as part of the plan.

Commissioner Scherer asked Mr. May if they are comfortable with the amount of parking spaces that are provided for the condo owners. Commissioner Scherer said in her opinion the majority of people have at minimum two vehicles. Mr. May responded he feels comfortable with the amount of parking spaces that are provided for the condo units. He pointed out the spaces provided meet Code requirements, the site is located on the transit line, and residents of the building may work in the area and could walk to work.

Commissioner Scherer commented that while this may not be an issue she asked the developers if they considered the possibility of errant golf balls hitting the large expanse of glass on the proposed building. Mr. May responded that is a good point, adding the glass windows and glass features of the building will be constructed to meet international building code and he is sure the glass used for this project will have a "safety factor" built in.

Commissioner Brown moved to recommend Final Rezoning, Final Development Plan, Amendment to the Comprehensive Plan and Conditional Use Permit Approval for residential dwelling units above the principal use subject to:

1. Setback variances form Highway 100 and West 77<sup>th</sup> Street, with final site plan adjustments regarding parking space sizes subject to approval by Planning and Engineering Departments.
2. Proof of Parking Variance
3. No drive-through facility.
4. Watershed District permits.
5. Affordable housing participation.
6. Intersection and signal operational analysis to be conducted by Applicant and submitted to the Transportation Commission for review; and
7. Installation of a 10 foot high fence, including gate along the northerly boundary line between subject site and residential neighbors.

Commissioner Grabiell seconded the motion. Ayes; Scherer, Staunton, Schroeder, Thiss Grabiell, Brown, Workinger, Lonsbury. Motion carried.

Commissioner Workinger commented he would be unhappy if the proposed planters along the sidewalk were removed and replaced only with outdoor restaurant seating.

#### **IV. NEW BUSINESS:**

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<b>C-06-5</b>	<b>Conditional Use Permit St. Patrick's Catholic Church 6820 St. Patrick's Lane</b>
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Mr. Cornejo informed the Commission St. Patrick's Catholic Church is a 13 acre parcel in West Edina located off Valley View and Gleason Roads. Mr. Cornejo said St. Patrick's Church is requesting a Conditional Use Permit to construct a garage, trash enclosure, labyrinth, sidewalk modification and repair and resurfacing of the existing parking lot. Continuing, Mr. Cornejo noted the proposed garage is residential in nature and its impact would be minimal. Variances are required for the garage.

Mr. Cornejo concluded staff supports the request for a Conditional Use Permit including variances subject to:

- Staff approval of final landscape plan and schedule of plantings.
- Applicant obtains a Watershed District permit.

Mr. Snyder architect for the project and Mr. Crow, along with church members were present.

Commissioner Grabiell asked why Commission action would be required for the labyrinth, it really isn't a structure. Mr. Cornejo said any change to the site plan triggers the need for a Conditional Use Permit.

Commissioner Staunton commented it appears to him the major issues of this proposal are the proposed garage, variances for the garage and trash enclosure and questioned if the Commission were to deny the CUP for just the garage would the concrete enclosure remain. Mr. Cornejo responded the existing concrete structure would remain as is. He said that concrete structure has been located on the site for many years.

Mr. Paul Snyder, ATS & R, architect for the project told the Commission the concrete structure that will serve as the base for the proposed garage has been on the site for many years, and in the past the structure was used as an enclosure for an oil tank farm. Mr. Snyder told the Commission another piece that is very interesting about this concrete structure is that the main gas meter and other utilities for the church are located in the structure and to move or demolish the structure would also impact the utility connections that continue to serve the church. Mr. Snyder said in reviewing the site constructing the proposed garage on this concrete structure made the most sense. Mr. Snyder said the concrete structure seems to create an attractive nuisance for teens, and constructing the garage on the structure should eliminate that nuisance. Concluding, Mr. Snyder explained the proposed garage is residential in nature and would keep church vehicles off the parking lot. The proposed screening of the trash enclosure also "cleans up" the site.

Commissioner Staunton noted there appears to be a number of large trees on the south end of the church site. Mr. Snyder confirmed that statement adding there are large coniferous trees between the nearest house and the existing concrete structure. Mr. Snyder said those trees will remain and continue to screen the concrete structure/new garage from the nearest house. Commissioner Brown told the Commission he knows that house very well, adding the existing vegetation provides adequate screening between properties.

Chair Lonsbury asked Mr. Snyder if the oil containers have been removed and if soil testing was done. Mr. Snyder responded he is not certain. A church

representative informed the Commission he believes Phase I testing was done, and believes the church would be amenable to further soil tests.

Mr. Mike Crow, representing the church informed the Commission the church held a neighborhood meeting informing neighbors of the proposed changes to the church campus. He said not only the church but neighbors expressed concern with the existing concrete structure and the possibility that someone could get hurt climbing on it. Mr. Crow said this area has also been an attractive nuisance for teens, adding he believes the construction of a garage will eliminate the attractiveness of this isolated spot. Continuing, Mr. Crow pointed out as previously mentioned the church site contains a number of large trees and those trees will remain. Concluding, Mr. Crow said in his opinion the campus of the Church of St. Patrick's is one of the most beautiful sites in Edina and the proposed improvements will only enhance the site. Mr. Crow stated the church would appreciate your support.

Ms. Jo Ellen Dever, 7405 Oaklawn Avenue, told the Commission she thinks the construction of a new garage and screening the trash enclosure(s) is a plus for the site; however her problem is with the three signs posted on the site informing residents a Conditional Use Permit has been requested. Ms. Dever stated the three signs do not meet Code standards. Ms. Dever suggested to avoid confusion that the church erect new signs according to code. Ms. Dever added she was surprised to learn the church is responsible for erecting the required informational signs, not the City, concluding there may be a better way to "get the word out" when an application is made.

Chair Lonsbury thanked Ms. Dever adding it is possible the City could do a better job on the procedural part of the application to make sure applicants are aware of the sign requirement, and to ensure sign(s) are erected according to code. Chair Lonsbury urged church members to erect the proper signs before the City Council hears this request. Concluding, Chair Lonsbury said he was aware of the inadequate signs prior to this discussion and learned from staff that three signs were erected; however, the font size was incorrect and the color bands of the signs were incorrect. Chair Lonsbury said in a sense, even though the signs did not meet the letter of the code they alerted the neighborhood and City Hall received a number of inquiries on what the church was proposing.

A church representative acknowledged three signs were posted; however because of time restraints they were hand-made without the proper type font or the required red/black bands.

Commissioner Staunton added if he understands City Code correctly this "oversight" does not nullify the proceedings this evening and the Commission can act on the request. Commissioner Staunton also urged church members to erect the signs according to code as soon as possible.



Commissioner Grabiell moved to recommend Conditional Use Permit Approval subject to: staff approval of final landscape plan and schedule of plantings and Watershed District permits. Conditions of approval are also to include setback variance for the garage and that additional soil tests are conducted. Commissioner Scherer seconded the motion.

Chair Lonsbury said an aye vote indicates the Conditional Use Permit meets the findings for the granting the permit:

1. Will promote and enhance the general public welfare and will not be detrimental to or endanger the public health, safety, morals, and general welfare;
2. Will not cause undue traffic hazards, congestion, or parking shortages;
3. Will not be injurious to the use and enjoyment, or decrease the value, of other property in the vicinity, and will not be a nuisance;
4. Will not impede the normal and orderly development and improvement of other property in the vicinity;
5. Will not create an excessive burden on parks, streets, and other public facilities;
6. Conforms to the applicable restrictions and special conditions of the district in which it is located; and
7. In consistent with the Comprehensive Plan.

Ayes; Scherer, Staunton, Schroeder, Grabiell, Brown, Thiss, Workinger, Lonsbury. Abstain, Workinger. Motion carried.

#### **V. OTHER BUSINESS:**

Chair Lonsbury informed Commissioners Craig Larsen has elected to take an early retirement from his position as Edina City Planner. Chair Lonsbury said he is very thankful for all the work Mr. Larsen has done on behalf of the City, and that Craig will be missed. Chair Lonsbury said he (along with all Commissioners) wish Mr. Larsen "all the best", and asked staff to inform Commissioners when a retirement party is planned for Craig.

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#### **Update on the Comprehensive Plan**

Mr. Cornejo told the Commission City staff is continuing to work on updating the Comprehensive Plan. Mr. Cornejo said in reviewing the existing plan he believes some adjustments and additions need to be made in certain areas, especially the Land Use section. Mr. Cornejo said in his opinion an urban design section needs to be developed, and the current plan is silent on schools and on information/technology. Continuing, Mr. Cornejo said another point that needs to be addressed in the plan is Public Safety. Mr. Cornejo said at this time

staff is in the process of forming a Comprehensive Plan Task Force and hiring a consultant to help draft an updated relevant Comprehensive Plan. Mr. Corejo concluded staff would like volunteers from the Commission to serve on this task force.

Chair Lonsbury asked Commissioners if there are any members who have time to volunteer their services to serve on this committee. Chair Lonsbury stated he would be willing to serve, adding he will speak with Commissioner Fischer who is absent this evening and ask him if he would also like to serve.

Commissioners Schroeder, Staunton and Workinger volunteered to serve on the Comprehensive Plan Task Force. Chair Lonsbury thanked them for their service. Mr. Cornejo told the Commissioners as soon as the Task Force is formed he will inform members of meeting dates and times.

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Chair Lonsbury told the Commission after the presentation last month from the Housing Task Force that it is his understanding after the Task Force completes their informational circuit they will come back to the Planning Commission with comments they received from the differing organizations.

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Commissioner Thiss asked Chair Lonsbury if the development of Commission work sessions is still a possibility. Chair Lonsbury responded Commission work sessions are still a goal. Chair Lonsbury stated he believes the work sessions will take place before each Planning Commission meeting and at each session a specific topic would be addressed. Chair Lonsbury said he, along with Commissioner Fischer are working with Assistant City Manager, Heather Worthington on topics for future work sessions and meeting dates. Chair Lonsbury said one suggestion (besides sessions before Commission meetings) is to have Commissioners attend a professional Planning Commission seminar. Chair Lonsbury concluded during the summer months it is difficult to get everyone together, concluding it is still "in the works".

**VI. ADJOURNMENT:**

Commissioner Scherer moved adjournment at 9:15 pm.

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Submitted by